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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

In re JEREMIAH B., a Person Coming  
Under the Juvenile Court Law.

B236947

LOS ANGELES COUNTY  
DEPARTMENT OF CHILDREN AND  
FAMILY SERVICES,

(Los Angeles County  
Super. Ct. No. CK67171)

Plaintiff and Respondent,

v.

WILLIE B.,

Defendant and Appellant.

APPEAL from orders of the Superior Court of Los Angeles County. Tim R. Saito,  
Judge. Affirmed.

Aida Aslanian, under appointment by the Court of Appeal, for Defendant and  
Appellant.

John F. Krattli, Acting County Counsel, James M. Owens, Assistant County  
Counsel, Jacklyn K. Louie, Deputy County Counsel, for Plaintiff and Respondent.

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Willie B. (father) appeals from juvenile court orders removing his son Jeremiah B. from his custody and implementing a reunification plan. On appeal, father contends: (1) substantial evidence did not support the removal order; (2) the trial court erred in “restricting” father’s visits with Jeremiah and in ordering father to attend a domestic violence program; (3) the trial court erred in ordering father to undergo a psychological evaluation pursuant to Evidence Code section 730 (section 730); and (4) the trial court erred in issuing a permanent restraining order. We affirm the juvenile court orders.

### **FACTUAL AND PROCEDURAL BACKGROUND**

In April 2011, the Los Angeles County Department of Children and Family Services (DCFS or the department) received a referral regarding then one-year-old Jeremiah B. According to the source of the referral, father accused mother of domestic violence. In an initial DCFS investigation, mother first denied hitting father or throwing objects at him, but later admitted she had been arrested for domestic violence. She also admitted hitting father while Jeremiah was present. Mother said father called her names and did not contribute financially to the family, which made her angry. Mother asserted both she and father were to blame for the domestic violence incidents. Father told DCFS mother hit him and used profanity in Jeremiah’s presence. Father claimed mother’s behavior made Jeremiah nervous and caused him to cry.<sup>1</sup>

A few days after DCFS’s initial home visit, a social worker made an unannounced visit to the family following a violent incident. Mother told DCFS father provoked her by calling her names and ignoring her, so she unplugged their television and flipped it over. Mother then left the house to report the incident to the police. Father told DCFS he had asked mother for a divorce. Although the parents were receiving family preservation services from a social service organization, they continued to have violent arguments. The social worker assisting them indicated father was the instigator in disputes she had witnessed, and he “appears to not stop talking.”

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<sup>1</sup> Mother had a past history with DCFS. In 2007, DCFS detained mother’s two small children after she left them alone in a hotel room. Eventually, the children were released to their father and dependency jurisdiction was terminated.

DCFS filed a dependency petition but did not detain Jeremiah. DCFS suggested it was in Jeremiah's best interest "to be under the supervision of Children's Court and [DCFS] in order for [mother] and [father] to cooperate and complete the necessary programs." At the initial court hearing in late April 2011, the court allowed Jeremiah to remain in his parents' home and set a date for a jurisdiction and disposition hearing.

On May 9, 2011, father told DCFS he was afraid of mother. He reported that one month earlier mother pulled a knife on him and threatened to cut off his head. Father also asserted mother threatened to poison him, and had recently hit him. Father indicated he rarely left Jeremiah home alone with mother and often took him out of the house to flee "the hostility." He recounted one occasion in January 2011, when he would not allow mother to carry Jeremiah because she was recovering from breast surgery. According to father, mother spit in his face and slapped him while he was holding Jeremiah; some of her saliva landed in Jeremiah's hair. Father again reported he was in the process of filing for a divorce.

On May 13, 2011, father informed DCFS he and mother continued to have conflicts, he feared for his life, and he intended to go to a domestic violence shelter. DCFS held an emergency team decision meeting and developed a "safety plan." Father agreed to file for a restraining order and move out of the family's apartment. Jeremiah was to stay with father for several days. Although DCFS told father not to return to the family's home or have any contact with mother, a social worker later reported that "as soon as [father] exited the building, he sent mother a text message telling her that he had been given custody of Jeremiah. Father also returned to mother's apartment [three days later] as he claimed that he needed to pick up clothing for baby Jeremiah." DCFS questioned this explanation as father had previously told a social worker that he had picked up clothes for Jeremiah a few days earlier, and DCFS gave him baby supplies so that he would not have to return to the home. DCFS concluded: "This leads the Department to believe that father does not fear mother, and that he texted mother . . . to boast and instigate an argument with mother."

In the May 2011 DCFS jurisdiction and disposition report, another agency's social worker described father as "manipulative." During an altercation the social worker witnessed, mother appeared receptive to the worker's attempts to defuse the argument, but father "remained 'angry, hostile and rude' and he continued to instigate mother." Father initially denied sending mother a text message after the May 13 emergency team decision meeting, then claimed he meant to send the message to someone else. DCFS noted father's failure to comply with the safety plan and his refusal to move out of the family's apartment. DCFS received a letter from father's physician indicating father could not take care of Jeremiah due to father's medical problems, which included diabetes, peripheral neuropathy, and sleep and breathing disorders. Mother asserted father had a gambling problem; father denied this charge. Mother claimed father took government assistance funds intended for the family's rent and spent the money. DCFS indicated that "[a]s a result of father's repeated lies, the Department tends to believe that father may have in fact kept the money without taking into consideration Jeremiah's housing situation." DCFS decided Jeremiah should remain in mother's care until a scheduled court hearing. Ultimately, DCFS opined the parents were not able to "safely parent Jeremiah together due to their conflictive relationship," and recommended that Jeremiah remain in mother's care but be detained from father.

In May 2011, the court ordered mother to stay away from the home, but it lifted the order in June 2011. In July 2011, DCFS reported that although the department asked father to avoid contact with mother, he wrote her a letter asking for her forgiveness. In the letter, father told mother he led her to believe he was seeing other women because she had stopped showing him affection and he was trying to get her attention. DCFS interpreted the letter as "demonstrat[ing] father's capability to make up false allegations against mother as his way of getting vengeance. By father's own admission, he has lied to mother and has attempted to make her jealous in order to get attention." Mother also informed DCFS that father was following her on the community college campus where she was enrolled, and father had purchased an accidental life insurance policy naming mother as an insured, without mother's consent. DCFS received another letter from

father's physician. This letter indicated that although father had diabetes, he was not insulin-dependent and the condition was controlled. The doctor opined: "From a medical standpoint, I have no reason to believe that [father] is not fully capable to care for a sixteen month old child full time."

The parties subsequently negotiated a resolution on jurisdiction. The court sustained an amended dependency petition alleging jurisdiction under Welfare and Institutions Code section 300, subdivision (b) due to the parents' violent altercations.<sup>2</sup> The juvenile court issued a temporary restraining order requiring father to stay away from mother and Jeremiah and forbidding any contact with them, except for supervised visits. The court set a disposition hearing for late August 2011.

In early August 2011, father gave DCFS a letter he claimed mother wrote. In the letter, mother admitted hitting father and screaming at him, and also admitted she had lied about father taking money from her. The letter included apologies and requests for father's forgiveness. Mother denied writing the letter. DCFS "strongly [questioned] the validity and source of the letter." DCFS also received a report that on multiple occasions, father stood across the street from Jeremiah's godmother's house between 5:00 a.m. and 7:30 a.m. The godmother suspected father believed mother was living at the house and was "stalking mother." Mother told DCFS she had received text messages about father from a telephone number she did not recognize. The messages said father was homeless but he still loved mother and was not involved with other women. DCFS concluded: "The Department therefore believes that father was somehow able to get a hold of mother's new cell phone number, and is continuing to harass her despite the restraining order. Father has demonstrated alarming behaviors that lead the Department to believe that he is obsessed with mother, and that he may be suffering from severe mental health

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<sup>2</sup> All further statutory references are to the Welfare and Institutions Code unless otherwise noted. The sustained allegation read: "On or about 04/05/2011 and on prior occasions, the child Jeremiah [B.] was exposed to violent domestic altercations between [mother] and [father]. Such violent conduct on the part of the parents endangers the child's physical health and safety and places the child at risk of physical harm, damage, danger, physical abuse and failure to protect."

issues. As a result the Department respectfully recommends that father be ordered to receive a 730 evaluation, that mother's restraining order be extended and that he be admonished for violating the restraining order."

In September 2011, father informed DCFS that paternal grandmother told him mother was calling her to demand that father buy diapers. Mother denied contacting paternal grandmother. Paternal grandmother also denied mother had called her as father described. A DCFS social worker told father to bring any items for Jeremiah to father's monitored visits. However, paternal grandmother told DCFS that father had instead dropped off diapers at paternal grandmother's house. DCFS concluded: "[T]he Department believes that father continues to make false allegations against mother to get her in trouble. The Department cannot trust father as he has not been forthcoming and he attempts to manipulate the situation by lying on a constant basis. As a result, the Department cannot ensure the safety of mother or Jeremiah if father is also given custody of Jeremiah. The Department respectfully continues to recommend that father receive a 730 evaluation as his behaviors are indicative of mental health issues."

In late September 2011, DCFS reported that father arrived at a DCFS office, purportedly for a monitored visit with Jeremiah, and complained that mother was not there. When a social worker called mother, she learned that mother was at a previously noticed hearing on the restraining order. Father claimed his attorney told him he did not need to attend the hearing. He subsequently called a different social worker and complained he had been denied a visit with Jeremiah. DCFS noted: "This is yet another example of father's unpredictable behavior and need to be in control." In October 2011, mother reported that while she was eating lunch at her community college, father approached and sat across from her. Father then told a campus police officer that mother was violating the restraining order. Mother told the officer father had approached her. The officer warned that any future incidents would lead to both mother and father being excluded from the campus. DCFS concluded: "The Department . . . fears that father will continue to demonstrate these alarming and concerning behaviors to make mother's life impossible. The Department believes that father is obsessed with mother and that he is

out for vengeance because mother refused to reunify with him. As a result, the Department continues to respectfully recommend that the mother and the [child's] restraining order against the father be extended. Because of father's unstable mental health status the Department fears for the safety of both mother and Jeremiah. The Department also respectfully recommends that father be ordered to receive a 730 evaluation as soon as possible . . . ."

At the disposition hearing, a DCFS social worker opined Jeremiah would be at risk if placed in father's custody because "he has continued to harass mother, despite the restraining order. The department believes that Jeremiah will get caught in father's obsession with mother." Father testified he took out the life insurance policy on himself only, with mother and Jeremiah as the beneficiaries. Father also testified that he had enrolled in the Project Fatherhood program, and had completed a Parents Beyond Conflict program.<sup>3</sup> Father asked the juvenile court to order joint custody of Jeremiah.

The juvenile court determined removal from father was necessary. The court concluded father "puts his focus on the mother in this case, it may put the [child's] welfare in concern in this case as he will put his focus on the mother over their own safety in this case." The court further observed that father "has a severe obsession over the mother. That, in this court's view may put the mother over the welfare of the [child] and the safety of the [child] in this case. [¶] Therefore based on that, the fact that the father hasn't been entirely forthright, he's tried to elicit reactions from the mother in order to try to maintain contact with her. Even despite the court order that he was to stay away from the mother, the court finds by clear and convincing evidence that . . . [¶] [t]here is a substantial danger if the child were returned home to the physical health, safety, protection or emotional well-being of the child and there are no reasonable means

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<sup>3</sup> Father's testimony about his participation in various programs was supported by documentation admitted into evidence. The court sustained a relevancy objection to questions about father's visits with Jeremiah, and questions about father's efforts to provide for Jeremiah's needs.

by which the child’s physical health can be protected without removing the child from the father’s custody in this case.”

The court ordered mother to attend individual counseling and a domestic violence counseling program. DCFS was to provide her with family maintenance services. As to father, the court ordered a reunification plan which required father’s participation in a 52-week domestic violence counseling course, individual counseling to address case issues, and the Project Fatherhood program. The court ordered father to submit to a section 730 evaluation. The court also ordered monitored visits for father, and ordered the parents not to live in the same residence. The court issued a one-year restraining order requiring father to stay away from mother and Jeremiah, except for visitation.

Father timely appealed.

## **DISCUSSION**

### **I. Substantial Evidence Supported the Juvenile Court’s Disposition Orders**

Father contends the trial court erred in removing Jeremiah from his custody, requiring him to attend a domestic violence counseling program, ordering him to submit to a psychological evaluation, “restricting” his visits with Jeremiah, and in issuing a permanent restraining order. We find no error.

#### **A. Removal from Father**

“Before the court may order a child physically removed from his or her parent, it must find, by clear and convincing evidence, that the child would be at substantial risk of harm if returned home and that there are no reasonable means by which the child can be protected without removal. (§ 361, subd. (c)(1); [citation].)” (*In re Cole C.* (2009) 174 Cal.App.4th 900, 917 (*Cole C.*)).<sup>4</sup> “[W]e review the record in the light most favorable to

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<sup>4</sup> Section 361, subdivision (c)(1), states in relevant part: “A dependent child may not be taken from the physical custody of the parents with whom the child resides at the time the petition was initiated, unless the juvenile court finds by clear and convincing evidence [¶] . . . [¶] [t]here is or would be a substantial danger to the physical health, safety, protection, or physical or emotional well-being of the minor if the minor were returned home, and there are no reasonable means by which the minor’s physical health



the dependency court's order to determine whether it contains sufficient evidence from which a reasonable trier of fact could make the necessary findings by clear and convincing evidence.” (*In re Mariah T.* (2008) 159 Cal.App.4th 428, 441.) “The jurisdictional findings are prima facie evidence that the child cannot safely remain in the home. (§ 361, subd. (c)(1).) The parent need not be dangerous and the child need not have been actually harmed for removal to be appropriate. The focus of the statute is on averting harm to the child. [Citations.] In this regard, the court may consider the parent's past conduct as well as present circumstances.” (*Cole C.*, *supra*, at p. 917.)

There was sufficient evidence for the juvenile court to determine Jeremiah would be at substantial risk of harm if he was “returned” to father's custody. The issue causing the dependency was domestic violence between mother and father in Jeremiah's presence. There was evidence that although only mother was physically violent, father instigated arguments and provoked mother's violent behavior. For example, a social worker reported observing father participating in an hours-long argument during which mother was ready to listen and calm down, but father continued to be rude and provocative. Although father at times claimed he feared for his life, there was evidence that after a restraining order was in place, he continued to seek out mother. Father's behavior suggests he was intent on creating further conflict with mother. Father included third parties in his efforts, including the paternal grandmother, and even campus police. Father also used Jeremiah-related issues as a means to generate conflict. For example, father reported that mother called the paternal grandmother to demand that father buy diapers, but the paternal grandmother said father's claims were false. Similarly, father alleged mother failed to produce Jeremiah for a visit, when in fact she was in court in Jeremiah's case. The parents' conflict had led to violent physical altercations in Jeremiah's presence in the past. The court could infer that Jeremiah was at substantial risk of harm arising out of a future altercation due to father's insistence on creating

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can be protected without removing the minor from the minor's parent's . . . physical custody.”

conflict with mother, even as mother appeared to be attempting to avoid father. Allowing the parents to have a shared or joint custody arrangement risked creating additional opportunities for father to generate conflict with mother, and such conflict posed a risk of serious harm to Jeremiah.<sup>5</sup>

Father challenges the juvenile court ruling by ignoring some of the evidence of his behavior, and by pointing out mother's failings. However, we are concerned only with whether substantial evidence supported the removal order. Although multiple inferences may be drawn from the evidence, we are required to resolve all conflicts in the evidence, and in reasonable inferences from the evidence, in favor of the prevailing party. (*In re Anthony G.* (2011) 194 Cal.App.4th 1060, 1065 (*Anthony G.*)) Thus, although father contends his actions in contacting mother were merely attempts to reconcile that did not place Jeremiah at risk of harm, the juvenile court could reasonably draw a different conclusion based on the evidence. Despite father's assertions that he feared mother, and that the parents' conflict upset Jeremiah, father repeatedly sought mother out when there was no reason to do so and no desire on her part to reconcile. Father did not avoid mother, but instead engaged in provocative behaviors seemingly intended to agitate her, despite his awareness that mother could be provoked to violence, and such aggression upset Jeremiah and placed him at risk of physical harm. Substantial evidence supported the removal order.

We also disagree with father's contention that the juvenile court erred in determining there were no reasonable means to protect Jeremiah without removal from father. "Before the court removes a child from parental custody, it must find there are no reasonable means by which the child's physical health can be protected without removal.

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<sup>5</sup> We find no indication in the record that the juvenile court's dispositional orders were based on father's refusal to move out of the family's apartment, except to the extent that father's refusal suggested he did not truly fear mother and was reluctant to take uncomfortable actions to keep Jeremiah out of harm's way. This issue was mentioned in one DCFS report, prior to the jurisdiction hearing, and was never explicitly referenced or mentioned by the court. We need not address father's argument that the disposition order penalized him for wanting to reside in his home and violated his right to equal protection.

(§ 361, subd. (c)(1).)” (*Cole C.*, *supra*, 174 Cal.App.4th at p. 918.) DCFS had a plan in place that would prevent mother and father from interacting to the extent possible, which would minimize or eliminate conflict between them and potential altercations. Father violated this plan and repeatedly attempted to contact mother, despite a temporary restraining order. He also engaged in other confrontational behavior, such as sitting across from mother at their community college, then reporting to the campus police that mother had violated a restraining order. It was the conflict between the parents, in Jeremiah’s presence, that led to the dependency. Instead of attempting to avoid future conflict, there was evidence that father sought it out. Substantial evidence supported the court’s finding that no reasonable means to protect Jeremiah were available without removing him from father’s custody.

**B. The Trial Court Did Not Abuse its Discretion in Ordering Father to Participate in Domestic Violence Counseling**

“At the dispositional hearing, the juvenile court must order child welfare services for the minor and the minor’s parents to facilitate reunification of the family. [Citations.] The court has broad discretion to determine what would best serve and protect the child’s interest and to fashion a dispositional order in accord with this discretion. [Citations.] We cannot reverse the court’s determination in this regard absent a clear abuse of discretion. [Citation.] [¶] The reunification plan ‘ “must be appropriate for each family and be based on the unique facts relating to that family.” ’ [Citation.] Section 362, subdivision (c) states in pertinent part: ‘The program in which a parent or guardian is required to participate shall be designed to eliminate those conditions that led to the court’s finding that the minor is a person described by Section 300.’ [Citation.] The department must offer services designed to remedy the problems leading to the loss of custody.” (*In re Christopher H.* (1996) 50 Cal.App.4th 1001, 1006-1007.)

The juvenile court could reasonably order domestic violence counseling as a reunification service to address the conditions leading to the dependency. Although there was no evidence father physically attacked mother, there was significant evidence that father instigated conflict with mother and acted in a manner that exacerbated their

conflict. Even if father was indisputably a “victim” and mother the aggressor, the court acted well within its discretion to include domestic violence counseling for both parents as one facet of the reunification plan. We find no abuse of discretion. (*In re Jasmine D.* (2000) 78 Cal.App.4th 1339, 1351 [test for abuse of discretion is whether trial court exceeded the bounds of reason; exceeded limits of legal discretion by making an arbitrary, capricious, or patently absurd determination].)

### **C. The Court Did Not Abuse its Discretion in Ordering Father to Submit to a Section 730 Evaluation**

The juvenile court may use a section 730 evaluation as an “ ‘information-gathering tool.’ [Citation.]” (*Laurie S. v. Superior Court* (1994) 26 Cal.App.4th 195, 202.) “Evaluations are generally ordered as part of a reunification plan after the child is declared a dependent. [Citation.] Frequently after a finding of jurisdiction a parent may be ordered to undergo an evaluation to determine if the parent is mentally disabled and if reunification services are likely to prevent continued abuse and neglect.” (*Id.* at p. 201.) “[A]fter a finding the child is at risk, and assumption of jurisdiction over the child, . . . a parent’s liberty and privacy interests yield to the demonstrated need of child protection. At that stage, where the aim is to reunify parent and child, expert opinion on the cause and extent of mental illness may be required to ascertain which services will eliminate the conditions leading to dependency.” (*Id.* at pp. 202-203.)

Although father did not have a known history of psychological problems, the trial court could reasonably conclude a psychological evaluation was appropriate to determine if father was suffering from mental illness and what services would eliminate the conditions leading to the dependency. (*In re Jennifer J.* (1992) 8 Cal.App.4th 1080, 1084 [court decision whether to appoint expert witness under section 730 is a matter of discretion].) There was evidence that father engaged in disturbing behavior. He claimed to fear for his life due to mother’s aggression, yet he continued to seek her out, even in violation of a court order. Although father told DCFS Jeremiah was negatively affected by the parents’ conflicts, father then attempted to create situations that would cause conflict with mother. There was evidence that he engaged in activities that could

reasonably be described as stalking. “The juvenile court has broad discretion to determine what would best serve and protect the child’s interest and to fashion a dispositional order in accordance with this discretion.” (*In re Jose M.* (1988) 206 Cal.App.3d 1098, 1103-1104.) The trial court did not act outside the bounds of reason in ordering a section 730 evaluation as an information gathering tool to determine what additional services might help father reunify with Jeremiah.

#### **D. The Juvenile Court Did Not Err in Ordering Monitored Visitation**

Father argues the juvenile court improperly “restricted” his visits with Jeremiah. The only restriction the court placed on visitation was that visits were to be monitored. We find no error. The juvenile court has broad discretion to determine the terms and conditions of visitation. (*In re Julie M.* (1999) 69 Cal.App.4th 41, 48.) Here, there was evidence that father engaged in troubling behavior and was repeatedly less than honest with DCFS, even about issues related to Jeremiah. As discussed above, the trial court agreed that a section 730 evaluation was needed. The trial court did not exceed the limits of legal discretion by ordering that father’s visits with Jeremiah be monitored.

#### **E. Substantial Evidence Supported the Juvenile Court’s Restraining Order**

Father contends the juvenile court erred in issuing a permanent restraining order. We disagree. We review the juvenile court’s issuance of a restraining order for substantial evidence. Thus, “we view the evidence in a light most favorable to the respondent, and indulge all legitimate and reasonable inferences to uphold the juvenile court’s determination.” (*In re Cassandra B.* (2004) 125 Cal.App.4th 199, 210-211 (*Cassandra B.*)).

Under section 213.5, a juvenile court may issue a restraining order “enjoining any person from contacting, threatening, molesting, attacking, striking, sexually assaulting, stalking, battering, or disturbing the peace of any parent, legal guardian, or current caretaker of the child, regardless of whether the child resides with that parent, legal guardian, or current caretaker . . . .” (§ 213.5, subds. (a), (d).) There was substantial evidence that father was, at a minimum, “contacting” and “disturbing the peace” of mother by attempting to make unwanted contact with her, standing outside of a house

where he thought she was staying with no apparent legitimate purpose, and deliberately sitting across from her at school, then informing police *mother* was violating the temporary restraining order. (*Cassandra B.*, *supra*, 125 Cal.App.4th at pp. 211-212 [restraining order under § 213.5, subd. (a)(1) may enjoin conduct that does not necessarily involve violence or the threat of violence; “molest” is a synonym for “annoy” in this context].) Further, father was only to have supervised visits with Jeremiah. His actions in standing outside of a residence where he presumably believed mother *and* Jeremiah were staying supported an inference that father intended to “contact” Jeremiah outside of a supervised visit. On appeal, father contends the reports of his behavior were not reliable because they were not independently verified. This argument challenges only the credibility and weight of the evidence, both of which were matters for the juvenile court. (*Anthony G.*, *supra*, 194 Cal.App.4th at p. 1065.) We find no error in the juvenile court’s issuance of a permanent restraining order protecting mother and Jeremiah.

Father additionally contends the trial court erred in failing to specify the details of permissible visitation. Under Welfare and Institutions Code section 213.5, subdivision (k), a court making a visitation order pursuant to the section is to follow the procedures set forth in Family Code section 6323, subdivisions (c) and (d). Those subdivisions provide the court “shall specify the time, day, place, and manner of transfer of the child for custody or visitation to limit the child’s exposure to potential domestic conflict or violence and to ensure the safety of all family members.” Here, the court’s visitation order attached to the restraining order provides for supervised visitation between father and Jeremiah, but did not set forth a schedule.

We need not decide whether the juvenile court’s failure to set forth a visitation schedule was error because father did not object on this ground below. He therefore forfeited the argument. “[A] reviewing court ordinarily will not consider a challenge to a ruling if an objection could have been but was not made in the trial court. [Citation.] The purpose of this rule is to encourage parties to bring errors to the attention of the trial court, so that they may be corrected. [Citation.] [¶] Dependency matters are not exempt from this rule.” (*In re S.B.* (2004) 32 Cal.4th 1287, 1293, fn. omitted, superseded by

statute on other grounds as stated in *In re S.J.* (2008) 167 Cal.App.4th 953, 962.)  
However, our affirmance of the order does not preclude father from making an application to the juvenile court to modify and clarify the order should he deem it appropriate to do so.

**DISPOSITION**

The juvenile court orders are affirmed.

BIGELOW, P. J.

We concur:

RUBIN, J.

FLIER, J.